

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET

SACRAMENTO, CA 95814

(916) 445-1912



February 25, 1981

To: All County Welfare Directors

Letter No. 81-6

SGA DISABLED -- DEDUCTION FOR IHSS COSTS

AB 2238, effective January 1, 1981, provided that the cost of needed in-home supportive services be considered a deduction from income for the SGA-disabled persons who are defined in Section 502~~43~~ (a)(2). Regulations to implement this statute will be adopted on a nonemergency basis. In the interim, counties must implement based directly on statutory authority. To assist in the implementation, attached to this letter is a draft of our proposed regulation.

Notice of Action letters sent to beneficiaries affected by this new law should cite Welfare and Institutions Code Section 14005.14 as their authority until the regulation is adopted.

If you have any questions contact your program consultant at (916) 445-1912.

Sincerely,

Original signed by

Barbara V. Carr, Acting Chief
Medi-Cal Eligibility Branch

Attachment

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: August 31, 1981

50551.6 Cost of In-Home Supportive Services -- SGA Disabled

(a) The amount actually paid for in-home supportive services provided to an SGA-disabled person as defined in Section 50245 (a) (2) shall be deducted from the combined nonexempt income of the SGA-disabled person and the responsible relative, except as limited by (b) and (c).

(b) The cost of in-home supportive services shall be a deduction only when provided by a person other than a family member living in the home.

(c) In-home supportive services means those services which may be provided under the IHSS program.

Note: Authority cited: Sections 10725, 14124.5, Welfare and Institutions Code.

Reference: Section 14005.14, 14005.3, Welfare and Institutions Code.